

Public Law 87-265

September 21, 1961
[H. R. 8072]

AN ACT

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1962, and for other purposes.

FEDERAL PAYMENT TO DISTRICT OF COLUMBIA

District of Co-
lumbia Appropria-
tion Act, 1962.

68 Stat. 104.
D. C. Code 43-
1602.

D. C. Code 43-
1540; D. C. Code
9-220.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there are appropriated for the District of Columbia for the fiscal year ending June 30, 1962, out of (1) the general fund of the District of Columbia (unless otherwise herein specifically provided), hereinafter known as the general fund, such fund being composed of the revenues of the District of Columbia other than those applied by law to special funds, and \$30,000,000, which is hereby appropriated for the purpose out of any money in the Treasury not otherwise appropriated (to be advanced July 1, 1961), (2) the highway fund (when designated as payable therefrom), established by law (D.C. Code, title 47, ch. 19), (3) the water fund (when designated as payable therefrom), established by law (D.C. Code, title 43, ch. 15), and \$1,855,000, which is hereby appropriated for the purpose out of any money in the Treasury not otherwise appropriated (to be advanced July 1, 1961), (4) the sanitary sewage works fund (when designated as payable therefrom), established by law (Public Law 364, 83d Congress), and \$898,000, which is hereby appropriated for the purpose out of any money in the Treasury not otherwise appropriated (to be advanced July 1, 1961), and (5) the motor vehicle parking fund (when designated as payable therefrom), established by law (D.C. Code, title 40, ch. 8), sums as shown herein; and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, \$29,000,000, which, together with balances of previous appropriations for this purpose, shall remain available until expended, for loans authorized by the Act of May 18, 1954 (68 Stat. 101), and the Act of June 6, 1958 (72 Stat. 183), to be advanced upon request of the Commissioners to the following funds: general fund, \$20,400,000, of which \$3,600,000 shall be available for the financing of appropriations made for capital outlay during prior fiscal years, and sanitary sewage works fund, \$8,600,000.

OPERATING EXPENSES

For expenses necessary for functions under this general head:

GENERAL OPERATING EXPENSES

General operating expenses, plus so much as may be necessary to compensate the Engineer Commissioner at a rate equal to each civilian member of the Board of Commissioners of the District of Columbia, hereafter in this Act referred to as the Commissioners; \$15,409,760, of which \$290,000 (to remain available until expended) shall be available solely for District of Columbia employees' disability compensation and \$113,000 shall be payable from the highway fund, \$23,900 from the water fund, \$6,400 from the sanitary sewage works fund, and \$48,000 from the motor vehicle parking fund: *Provided*, That the certificate of the Commissioners shall be sufficient voucher for the expenditure of \$2,500 of this appropriation for such purposes, exclusive of ceremony expenses, as they may deem necessary.

PUBLIC SAFETY

Public safety, including employment of consulting physicians, diagnosticians, and therapists at rates to be fixed by the Commissioners; the present acting captain of the Metropolitan Police in charge of the public vehicle unit with the rank and pay of captain while so assigned, the present lieutenant in charge of the Accident Investigation Unit of Traffic Division with the rank and pay of captain while so assigned, the present senior lieutenant assigned to the Robbery Squad with the rank and pay of captain while so assigned, the present lieutenant assigned as Pawn Inspector with the rank and pay of captain while so assigned, and the present lieutenant assigned as court liaison officer with the rank and pay of captain while so assigned; purchase of sixty-two passenger motor vehicles including forty-four for replacement only for police-type use without regard to the general purchase price limitation for the current fiscal year (but not in excess of \$100 per vehicle above such limitation) and six for other replacement purposes; \$55,660,627, of which \$100,000 shall be transferred to the judiciary and disbursed by the Administrative Office of the United States Courts for expenses of the Legal Aid Agency for the District of Columbia, and \$44,000 shall be payable from the highway fund, and \$111,000 from the motor vehicle parking fund: *Provided*, That not to exceed \$50,000 of any funds from appropriations available to the District of Columbia may be used to match financial contributions from the Office of Civil and Defense Mobilization to the District of Columbia Office of Civil Defense for the purchase of civil defense equipment and supplies approved by the Office of Civil and Defense Mobilization, when authorized by the Commissioners.

EDUCATION

Education, including the purchase of five passenger motor vehicles including two for replacement only, \$54,016,210, of which \$569,000 shall be for development of vocational education in the District of Columbia in accordance with the Act of June 8, 1960, as amended.

Section 6 of the Legislative, Executive, and Judicial Appropriation Act, approved May 10, 1916, as amended, shall not apply from July 1 to August 26, 1961, to teachers of the public schools of the District of Columbia when employed by any of the branches of the United States Government or by any department or agency of the District of Columbia government.

Double salaries.
39 Stat. 582.
5 U S C 58, 59
note.

PARKS AND RECREATION

Parks and recreation, including purchase of two passenger motor vehicles for replacement only, and the purchase, acquisition, and transportation of specimens for the National Zoological Park, \$7,980,400, of which \$25,000 shall be payable from the highway fund.

HEALTH AND WELFARE

Health and Welfare, including purchase of three passenger motor vehicles for replacement only; reimbursement to the United States for services rendered to the District of Columbia by Freedmen's Hospital; and for care and treatment of indigent patients in institutions, including those under sectarian control, under contracts to be made by the Director of Public Health; \$61,993,090: *Provided*, That the inpatient rate and outpatient rate under such contracts and for services rendered by Freedmen's Hospital shall not exceed \$30 per diem and the outpatient rate shall not exceed \$5 per visit.

HIGHWAYS AND TRAFFIC

Highways and Traffic, including \$63,200 for traffic safety education without reference to any other law; and purchase of forty passenger motor vehicles for replacement only, of which three for use by the Commissioners shall be without regard to the statutory limitation on the purchase price of passenger-carrying motor vehicles but at a cost not to exceed \$750 each in addition to the trade-in allowed for the present vehicles in use by the Commissioners; \$10,818,700, of which \$7,037,700 shall be payable from the highway fund and \$197,500 from the motor vehicle parking fund: *Provided*, That this appropriation shall not be available for the purchase of driver-training vehicles.

SANITARY ENGINEERING

Sanitary Engineering, including the purchase of six passenger motor vehicles for replacement only, \$19,647,000, of which \$190,000 shall be payable from the highway fund, \$6,562,700 shall be payable from the water fund, and \$3,643,100 shall be payable from the sanitary sewage works fund.

PERSONAL SERVICES, WAGE-BOARD EMPLOYEES

For pay increases and related retirement cost for wage-board employees, to be transferred by the Commissioners of the District of Columbia to the appropriations for the fiscal year 1962 from which said employees are properly payable, \$1,223,000, of which \$75,200 shall be payable from the highway fund, \$112,800 from the water fund, and \$60,700 from the sanitary sewage works fund.

MISCELLANEOUS

SETTLEMENT OF CLAIMS AND SUITS

For the payment of claims in excess of \$250, approved by the Commissioners in accordance with the provisions of the Act of February 11, 1929, as amended (45 Stat. 1160; 46 Stat. 500; 65 Stat. 131), \$17,188.

D. C. Code 1-901-1-906.

AUDITED CLAIMS

For an amount for the payment of claims, certified to be due by the accounting officers of the District of Columbia, under appropriations the balances of which have been exhausted or credited to the general or special funds of the District of Columbia as provided by law (D.C. Code, title 47, sec. 130a), being for the service of the fiscal year 1960 and prior fiscal years, \$44,022, together with such further sums as may be necessary to pay the interest on audited claims for refunds at not exceeding 4 per centum per annum as provided by law (Act of July 10, 1952, 66 Stat. 546, sec. 14d).

D. C. Code 47-2413.

CAPITAL OUTLAY

For reimbursement to the United States of funds loaned in compliance with section 4 of the Act of May 29, 1930 (46 Stat. 482), as amended, the Act of August 7, 1946 (60 Stat. 896), as amended, the Act of May 14, 1948 (62 Stat. 235), and section 108 of the Act of May 18, 1954 (68 Stat. 103), including interest as required thereby; construction projects as authorized by the Acts of April 22, 1904 (33 Stat. 244), February 16, 1942 (56 Stat. 91), May 18, 1954 (68 Stat. 105, 110), June 6, 1958 (72 Stat. 183), and August 20, 1958 (72 Stat. 686); including acquisition of sites; preparation of plans and specifications for the

D. C. Code 8-106 note.

D. C. Code 11-103.

D. C. Code 43-1540.

D. C. Code 43-1510; 40-804; 7-132; 9-220; 40-804.

following buildings and facilities: Garrison Elementary School replacement, elementary school in the vicinity of Fifty-third and C Streets Southeast, Palisades Branch Library, replacement of Third Precinct station house, and National Zoological Park; for conducting the following preliminary surveys: electrical improvements at the Lorton Reservation; erection of the following structures, including building improvement and alteration and the treatment of grounds: Bancroft Elementary School addition, Woodridge Elementary School completion, Eliot Junior High School Addition, Davis Elementary School addition, Evans Junior High School, elementary school in the vicinity of Eleventh and Clifton Streets Northwest, warehouse and shops for the Recreation Department, replacement of the dormitories for resident physicians and interns at the District of Columbia General Hospital, educational center replacement at the Reformatory, children's cottage at the Junior Village, chapel at the District Training School, and replacement of dormitories at the District of Columbia Village; \$302,000 for purchase of equipment for new school buildings; to remain available until expended, \$43,257,900, of which \$6,825,000 shall not become available for expenditure until July 1, 1962, \$6,630,000 shall be payable from the highway fund, \$2,840,359 shall be payable from the water fund, \$9,755,000 shall be payable from the sanitary sewage works fund, and \$710,000 shall be available for construction services by the Director of Buildings and Grounds or by contract for architectural engineering services, as may be determined by the Commissioners, and the funds for the use of the Director of Buildings and Grounds shall be advanced to the appropriation account, "Construction services, Department of Buildings and Grounds": *Provided*, That not to exceed \$105,000 of funds heretofore appropriated under the heading "Capital Outlay, Public Building Construction", 1960, shall be available for the preparation of plans and specifications and the beginning of construction of a structure to replace the Thirteenth Police Precinct station house: *Provided further*, That the unexpended balances of the amounts previously appropriated under the accounts herewith consolidated may be transferred to this account for use for the same purposes as appropriated.

74 Stat. 26.

GENERAL PROVISIONS

SEC. 2. Except as otherwise provided herein, all vouchers covering expenditures of appropriations contained in this Act shall be audited before payment by the designated certifying official and the vouchers as approved shall be paid by checks issued by the designated disbursing official without countersignature.

Vouchers.

SEC. 3. Whenever in this Act an amount is specified within an appropriation for particular purposes or object of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount which may be expended for said purpose or object rather than an amount set apart exclusively therefor.

Maximum amount.

SEC. 4. Appropriations in this Act shall be available, when authorized or approved by the Commissioners, for allowances for privately owned automobiles used for the performance of official duties at 8 cents per mile but not to exceed \$25 a month for each automobile, unless otherwise therein specifically provided, except that sixty-two such allowances at not more than \$410 each per annum may be authorized or approved by the Commissioners.

Automobile allowances.

SEC. 5. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by

Travel and dues.

the Commissioners: *Provided*, That the total expenditures for this purpose shall not exceed \$65,000.

SEC. 6. Appropriations in this Act shall be available for services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a).

SEC. 7. The disbursing officials designated by the Commissioners are authorized to advance to such officials as may be approved by the Commissioners such amounts and for such purposes as the Commissioners may determine.

SEC. 8. Appropriations in this Act shall not be used for or in connection with the preparation, issuance, publication, or enforcement of any regulation or order of the Public Utilities Commission requiring the installation of meters in taxicabs, or for or in connection with the licensing of any vehicle to be operated as a taxicab except for operation in accordance with such system of uniform zones and rates and regulations applicable thereto as shall have been prescribed by the Public Utilities Commission.

SEC. 9. Appropriations in this Act shall not be available for the payment of rates for electric current for street lighting in excess of 2 cents per kilowatt-hour for current consumed.

SEC. 10. All motor-propelled passenger-carrying vehicles (including watercraft) owned by the District of Columbia shall be operated and utilized in conformity with section 16 of the Act of August 2, 1946 (5 U.S.C. 77, 78), and shall be under the direction and control of the Commissioners, who may from time to time alter or change the assignment for use thereof, or direct the alteration of interchangeable use of any of the same by officers and employees of the District, except as otherwise provided in this Act. "Official purposes" shall not apply to the Commissioners of the District of Columbia or in cases of officers and employees the character of whose duties makes such transportation necessary, but only as to such latter cases when the same is approved by the Commissioners.

SEC. 11. Appropriations contained in this Act for Highways and Traffic, and Sanitary Engineering shall be available for snow and ice control work when ordered by the Commissioners in writing.

SEC. 12. Appropriations in this Act shall be available when authorized by the Commissioners, for the rental of quarters without reference to section 6 of the District of Columbia Appropriation Act, 1945.

SEC. 13. Appropriations in this Act shall be available for the furnishing of uniforms when authorized by the Commissioners.

SEC. 14. There are hereby appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of judgments which have been entered against the government of the District of Columbia, including refunds authorized by section 10 of the Act approved April 23, 1924 (43 Stat. 108): *Provided*, That nothing contained in this section shall be construed as modifying or affecting the provisions of paragraph 3, subsection (c) of section 11 of title XII of the District of Columbia Income and Franchise Tax Act of 1947, as amended.

SEC. 15. Except as otherwise provided herein, limitations and legislative provisions contained in the District of Columbia Appropriation Act, 1961, shall be continued for the fiscal year 1962: *Provided*, That the limitation for "Construction Services, Department of Buildings and Grounds" contained in the District of Columbia Appropriation Act, 1961, shall be increased from 6 to 7 per centum of appropriations for construction projects: *Provided further*, That the appropriation for "Additional Municipal Services, Inaugural Ceremonies" and "Capital Outlay, Washington Aqueduct" included in the District of Columbia Appropriation Act, 1961, shall not be available in fiscal year 1962.

60 Stat. 810.
Advances.

Public Utilities
Commission.
Restrictions.

Street lighting.

Passenger motor
vehicles.

60 Stat. 810.

Snow removal.

Rentals.

58 Stat. 532.
D. C. Code 1-
243.
Uniforms.
Refunds; judg-
ments.

D. C. Code 47-
1910.

70 Stat. 78.
D. C. Code 47-
1586j.

74 Stat. 17.

74 Stat. 23.

74 Stat. 20, 24.

SEC. 16. The appropriation contained herein for "Capital Outlay" shall be withheld from obligation by deletion of projects in an amount sufficient to assure the operation of the District of Columbia government within available revenues in the event of failure of enactment of H.R. 258, Eighty-seventh Congress, or other similar legislation.

"Capital Outlay".
Deletion of projects.

This Act may be cited as the "District of Columbia Appropriation Act, 1962".

Short title.

Approved September 21, 1961.

Public Law 87-266

AN ACT

September 21, 1961
[H. R. 6732]

To amend the Merchant Marine Act, 1936, as amended, to encourage the construction and maintenance of American-flag vessels built in American shipyards.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 901 (b) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1241), is hereby amended by inserting at the end thereof the following: "For purposes of this section, the term 'privately owned United States-flag commercial vessels' shall not be deemed to include any vessel which, subsequent to the date of enactment of this amendment, shall have been either (a) built outside the United States, (b) rebuilt outside the United States, or (c) documented under any foreign registry, until such vessel shall have been documented under the laws of the United States for a period of three years: *Provided, however,* That the provisions of this amendment shall not apply where, (1) prior to the enactment of this amendment, the owner of a vessel, or contractor for the purchase of a vessel, originally constructed in the United States and rebuilt abroad or contracted to be rebuilt abroad, has notified the Maritime Administration in writing of its intent to document such vessel under United States registry, and such vessel is so documented on its first arrival at a United States port not later than one year subsequent to the date of the enactment of this amendment, or (2) where prior to the enactment of this amendment, the owner of a vessel under United States registry has made a contract for the rebuilding abroad of such vessel and has notified the Maritime Administration of such contract, and such rebuilding is completed and such vessel is thereafter documented under United States registry on its first arrival at a United States port not later than one year subsequent to the date of the enactment of this amendment."

Merchant Marine Act, 1936, amendment.
American-flag vessels.
68 Stat. 832.

Approved September 21, 1961.

Public Law 87-267

AN ACT

September 21, 1961
[H. R. 7622]

To repeal sections 1176 and 1177 of the Revised Statutes of the United States relating to the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 1176 and 1177 of the Revised Statutes of the United States relating to the District of Columbia (18 Stat. 136; D.C. Code, secs. 22-3401, 3402, and 3403) are hereby repealed.

D. C., gift enterprises.

17 Stat. 464.
Repeal.

Approved September 21, 1961.